

U.S. Patent Application No. 09/601,150
Reply to Office Action dated March 7, 2006

PATENT
450101-02197

REMARKS/ARGUMENTS

Reconsideration and withdrawal of the rejections of the application are respectfully requested in view of the amendments and remarks herewith, which place the application into condition for allowance. The present amendment is being made to facilitate prosecution of the application and does not require further search by the Examiner.

I. STATUS OF THE CLAIMS AND FORMAL MATTERS

Claims 1-6, 9-15 and 18 are pending in this application. Claims 1 and 10, which are independent, have been amended. Support for this amendment is provided throughout the Specification, specifically on pages 32-33. No new matter has been introduced by this amendment. Claims 7, 8, 16 and 17 have been canceled, without prejudice or disclaimer of subject matter. Changes to claims are not made for the purpose of patentability within the meaning of 35 U.S.C. §101, §102, §103, or §112. Rather, these changes are made simply for clarification and to round out the scope of protection to which Applicants are entitled.

II. 35 U.S.C. § 103(a) REJECTIONS

Claims 1-7, 9-16 and 18 were rejected under 35 U.S.C. §103(a) as allegedly unpatentable over U.S. Patent No. 6,405,371 to Oosterhout et al. (hereinafter, merely "Oosterhout") in view of U.S. Patent No. 6,219,837 to Yeo et al. (hereinafter, merely "Yeo") and in further view of U.S. Patent No. 5,977,974 to Hatori et al. (hereinafter, merely "Hatori").

Claim 1 recites, *inter alia*:

"An information providing apparatus comprising:

wherein said image is enlarged until an image becomes equal to or larger than a predetermined value which renders the image

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gradually transparent in view of said plurality of images displayed;
and

selection means for selecting an image set by the focus setting means, independent of the image data source;

wherein the plurality of images are index images which are respectively selected from scenes of one program, and the image display means displays the program of the selected index image.
(emphasis added)

As understood by Applicants, Oosterhout relates to a method of navigating through television programs. A television receiver displays a mosaic image with sub-images representing available programs. The receiver further receives an electronic program guide with program descriptions. Upon activating a "theme" button, the viewer can enter a desired program type, e.g. "movie". In response thereto, the brightness of the sub-images representing programs that are not desired is reduced. The user is assisted in navigating through programs of interest, while maintaining the mosaic structure, and without losing the association between channels and their positions on the mosaic screen.

As understood by Applicants, Yeo relates to providing summary frames in video. Specifically, channel surfers are aided by summary frames appearing on the screen along with the regular program. These summary frames are embedded in the broadcast and appear in a small window on the screen as the video is broadcast. The summary frames depict key scenes from the past that aid the viewer in quickly ascertaining the current plot or theme of the video program. In an interactive television environment, a short video segment may be associated with each shot such that when the shot is selected, the past video segment is played in a larger window on the screen with sound. Once the segment is viewed, the video program is rejoined in progress so the viewer has a better sense of what is going on in the video.

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As understood by Applicants, Hatori relates to an information processing apparatus and method. A plurality of data items is stored in a storage medium, and time information of each of the plurality of data items is obtained. A display window on a display screen displays a time axis, having a spiral shape, which includes arrangement positions, each corresponding to a predetermined period of time. At each of the arrangement positions, on the time axis, corresponding to time represented by the obtained time information of each of the plurality of data items, information (data icons) representing the corresponding data item is displayed. The display sizes of the data icons are reduced toward the center of the spiral time axis, thereby depth can be expressed.

Applicants submit that Oosterhout, Yeo and Hatori, taken alone or in combination, fail to teach or suggest the above-identified features of claim 1. Specifically, Applicants submit that there is no teaching or suggestion of an image processing apparatus comprising an information providing apparatus wherein said image is enlarged until the image becomes equal to or larger than a predetermined value which renders the image gradually transparent in view of said plurality of images displayed, as recited in claim 1.

Furthermore, Applicants submit that Oosterhout, Yeo and Hatori, taken alone or in combination, fail to teach or suggest the above-identified features of claim 1. Indeed, claim 1 recites "...image generation means for generating a plurality of images which are sequential and arranged spirally, based on input image data, and for generating the plurality of images such that an image at a second time point is larger than an image at a first time point. Applicants submit that Hatori discloses that the display size of data icon is reduced toward the center of a spiral 104. Thus, the display size of the data icon is reduced toward the center of the spiral 104, but the sizes of the plurality of the images at the same distances from the center are the same.

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Therefore, Applicants respectfully submit that claim 1 is patentable.

For reasons similar to those described above with regard to independent claim 1, independent claim 10 is also believed to be patentable.

Therefore, Applicants submit that independent claims 1 and 10 are patentable.

Applicants reiterate the arguments made in the previous response that the combination of Hatori with Oosterhout and Yeo lacks motivation and therefore fails to make the required *prima facie* case of obviousness.

Applicants submit that there is no suggestion, teaching or motivation to combine an information processing apparatus, as disclosed in Hatori, with a system for navigating through television programs, as disclosed in Oosterhout. Therefore, the combination of Hatori and Oosterhout is improper.

Furthermore, the addition of Yeo to the combination of Hatori and Oosterhout only exacerbates the issue. Hatori is a system for displaying data items, in a spiral format, that can be examined with a zoom feature or accessed so file content can be edited. Hatori does not teach or suggest hyperlinking to a past or future portion of video such that one of ordinary skill in the art would be motivated to combine an information processing apparatus that displays data in a spiral format, as disclosed in Hatori, with a system for providing summary frames in video, as disclosed in Yeo.

Applicants submit that the combination of Hatori with Oosterhout and Yeo is a result of impermissible hindsight reconstruction of the claimed invention using the Applicants' claim as a template and selecting elements from references to fill in the gaps.

Since the references cited were combined piecemeal, without any suggestion or motivation for their combination, independent claim 1 is believed to be allowable.

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Applicants submit that the rejection of independent claim 10 is improper for the same reasons described above with regard to independent claim 1. Therefore, Applicants submit that independent claim 10 is allowable.

Therefore, Applicants submit that independent claims 1 and 10 are patentable.

III. DEPENDENT CLAIMS

The other claims are dependent from one of the independent claims, discussed above, and are therefore believed patentable for at least the same reasons. Since each dependent claim is also deemed to define an additional aspect of the invention, however, the individual reconsideration of the patentability of each on its own merits is respectfully requested.

CONCLUSION

In the event the Examiner disagrees with any of statements appearing above with respect to the disclosure in the cited reference, or references, it is respectfully requested that the Examiner specifically indicate those portion or portions of the reference, or references, providing the basis for a contrary view.

Please charge any additional fees that may be needed, and credit any overpayment, to our Deposit Account No. 50-0320.

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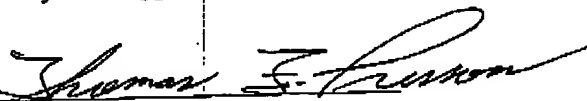
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In view of the foregoing amendments and remarks, it is believed that all of the claims in this application are patentable and Applicants respectfully request early passage to issue of the present application.

Respectfully submitted,

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